

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 9149

IN THE MATTER OF:

Served November 22, 2005

Application of U-CALL)	Case No. AP-2005-184
TRANSPORTATION, INC., for a)	
Certificate of Authority --)	
Irregular Route Operations)	

By application accepted for filing November 7, 2005, U-Call Transportation, Inc., a District of Columbia entity, seeks a certificate of authority for irregular route operations in vehicles with a seating capacity of less than 16 persons only, including the driver.

Applicant's president, Joe Yousef, is also the president of Safeway Transportation Services, Inc., WMATC Carrier No. 889.

Applications for certificates of authority are governed by Title II of the Compact, Article XI, Section 7. Applications for approval of common control are governed by Article XII, Section 3.

Article XI, Section 7(a), authorizes the Commission to issue a certificate of authority if it finds that the proposed transportation is consistent with the public interest and that the applicant is fit, willing, and able to perform the proposed transportation properly, conform to the provisions of the Compact, and conform to the rules, regulations, and requirements of the Commission.

Article XII, Section 3(a)(iii), of the Compact states that a carrier or any person controlling, controlled by, or under common control with a carrier shall obtain Commission approval to acquire control of another carrier that operates in the Metropolitan District through ownership of its stock or other means. Approval may be granted if the Commission finds the acquisition is consistent with the public interest.¹ The public interest analysis focuses on the fitness of the acquiring party, the resulting competitive balance, and the interest of affected employees.²

Applicant proposes commencing operations with one van, but the application indicates neither the service that applicant intends to provide nor the rates applicant intends to charge.

¹ Compact, tit. II, art. XII, § 3(c).

² Act of Sept. 15, 1960, Pub. L. No. 86-794, § 3, 74 Stat. 1031, 1050 (1960) (codified at DC CODE ANN. § 9-1103.04 (2005)); In re Capital City Coach, Inc., No. AP-05-32, Order No. 8752 (June 1, 2005).

Each application for operating authority must include an Exhibit B containing a description of proposed service and proposed rates. Applicant shall be directed to file with the Commission an Exhibit B.

This proceeding is hereby initiated to determine whether applicant is fit and whether the proposed transportation and common control are consistent with the public interest.

THEREFORE, IT IS ORDERED:

1. That applicant shall publish once in a newspaper of general circulation in the Metropolitan District, no later than December 6, 2005, notice in the form prescribed by the staff of the Commission.

2. That applicant shall file with the Commission, no later than December 20, 2005, an affidavit that notice has been published as required in the preceding paragraph.

3. That applicant shall file with the Commission, no later than December 20, 2005, an Exhibit B containing a description of proposed service and proposed rates.

4. That the deadline for filing protests, comments, applications for intervention, and requests for formal hearing is December 20, 2005, and that copies must be served on applicant's president, Joe Yousef, 13106 Willoughby Point Drive, Fairfax, VA 22033.

FOR THE COMMISSION:



William S. Morrow, Jr.
Executive Director